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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,695	09/26/2001	Eren Tolga Rosenfeld	0522200171	3233

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EXAMINER

BELL, MELTIN

ART UNIT	PAPER NUMBER
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2121

DATE MAILED: 02/02/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/868,695

Applicant(s)

ROSENFELD ET AL.

Examiner

Meltin Bell

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☒ Claim(s) 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 September 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: _____

DETAILED ACTION

This action is responsive to application **09/868,695** filed 09/26/01.

Claims 1-18 have been examined.

Priority

Acknowledgment is made of applicant's claim for priority based on application 09/218,945 filed in the United States on **12/22/98**.

Information Disclosure Statement

Applicant is respectfully reminded of the ongoing Duty to disclose 37 C.F.R. 1.56 all pertinent information and material pertaining to the patentability of applicant's claimed invention, by submitting in a timely manner PTO-1449, Information Disclosure Statement (IDS) with the filing of applicant's application or thereafter.

The information disclosure statement filed 2/7/02 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because of missing or inaccurate information in the listing:

- Many references are missing the date of publication. Examples include
 - "Evaluating the effectiveness of feedback in SQL-tutor"
 - "Automated Training of Legal Reasoning" and related web page
 - "CAPTOR a model for delivering web based intelligent tutoring system technology"

- "KBLPS Overview" and related web page
- "Practical methods for automatically generating typed links"
- "Teaching Real-World Analysis Skills for Goal Based Scenario".

It has been placed in the application file, but the information referred to therein has not been considered as to the merits. Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609 ¶ C(1).

Drawings

The United States Patent and Trademark Office of Draftsperson's Patent Drawings Review have reviewed the formal drawings.

The drawings have not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is required in correcting any errors of which applicant may become aware in the drawings.

The drawings are objected to because:

- Fig. 2 is missing item 234, the mathematical modeling tool of page 4, line 2.
- Fig. 19 process numbers should be more closely linked to the Fig. items explained on page 19, lines 15-23.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is required in correcting any errors of which applicant may become aware in the specification.

The disclosure is objected to because of the following informalities:

- The Abstract is missing.
- Figure 2, item 230 System Dynamics Engine is referred to as set of messages on page 3, line 34 and Solution Construction Aid (SCA) on page 4, line 1.
- Figure 2, item 250 System Dynamics Model (PowerSim) is referred to as knowledge system on page 4, line 3.
- Figure 2, item 270 Intelligent Coaching Agent (C++) is referred to as software tutor on page 4, line 5.
- Figure 2, item 240 Simulation Engine is referred to as artificial intelligence engine on page 4, line 5.
- Figure 2, item 242 Deliver Feedback is referred to as client cultural messages on page 4, line 7.
- Figure 2, item 238 Inputs Outputs is referred to as drag and drop association of information on page 4, line 10.

Appropriate correction is required.

Claim Objections

Claims 10 is objected to because of the following informalities:

Regarding claim 10:

- limitations of the claim are ordered (b) through (a) instead of (a) through (e).

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

The invention as disclosed in claims 1-9 are directed to non-statutory subject matter.

Claims 1-9 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a credible asserted utility or a well established utility.

As methods, claim 1-9 offer abstract ideas (e.g. "goal", "presentation", "table of components", "instantiating") that are also not applied in the technological arts. Abstract ideas and their manipulation constitute "descriptive material" that is not patentable, *Warmerdam*, 33 F.3d at 1360, 31 USPQ2d at 1759 and *Schrader*, 22 F.3d at 292-93, 30 USPQ2d at 1457-58, respectively. If the abstract ideas of claim 1-9 represented functional descriptive material consisting of data structures and computer programs which impart functionality when employed as a computer component (recorded on some

computer readable medium), they become structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. For examples,

- *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994) offers claim to data structure stored on a computer readable medium that increases computer efficiency held statutory and
- *Warmerdam*, 33 F.3d at 1360-61, 31 USPQ2d at 1759 offers product-by-process claim to computer having a specific data structure stored in memory also held statutory while
- *Warmerdam*, 33 F.3d at 1361, 31 USPQ2d at 1760 offers claim to a data structure *per se* held nonstatutory.

Because the claims are not claimed to be practiced on a computer and/or stored on a computer readable medium, they are not limited to practical applications in the technological arts. Specifically, the claims are methods without any particular practical application, such as a program running on a computer and stored in a computer readable medium or memory. On that basis alone, the claims are clearly nonstatutory.

Claims 1-9 are rejected under 35 U.S.C. 101 because the claimed invention is not supported by either a credible asserted utility or a well established utility. Claims 1-9 are also rejected under 35 U.S.C. 112, first paragraph. Specifically, since the claimed inventions are not supported by either a credible asserted utility or a well established utility for the reasons set forth above, one skilled in the art clearly would not know how to use the claimed inventions.

Claim Rejections - 35 USC § 112

To expedite a complete examination of the instant application, the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-9 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Support for this 35 U.S.C. 112, first paragraph rejections comes from MPEP

2164.07(I)(A):

"As noted in *In re Fouche*, 439 F.2d 1237, 169 USPQ 429 (CCPA 1971), if "compositions are in fact useless, appellant's specification cannot have taught how to use them." 439 F.2d at 1243, 169 USPQ at 434. The examiner should make both rejections (i.e., a rejection under 35 U.S.C. 112, first paragraph and a rejection under 35 U.S.C. 101) where the subject matter of a claim has been shown to be nonuseful or inoperative. The 35 U.S.C. 112, first paragraph, rejection should indicate that because the invention as claimed does not have utility, a person skilled in the art would not be able to use the invention as claimed, and as such, the claim is defective under 35 U.S.C. 112, first paragraph."

Claim Rejections - 35 USC § 102

To expedite a complete examination of the instant application, the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation

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of applicant amending these claims to place them within the four statutory categories of invention.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 5-6, 8, 10-12, 14-15, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by *White* USPN 5,694,601 (December 2, 1997).

Regarding claim 1:

White teaches,

- (a) receiving information indicative of a goal (column 26, lines 31-37, "To achieve the...arbitrarily complex structures")
- (b) integrating information that motivates accomplishment of the goal for use in the presentation (column 24, lines 30-37, "One or more...work within DAA")
- (c) managing information flow utilizing a table of components (column 69, lines 8-13, "Blocks 46540 through...the STDE table")
- (d) evaluating progress toward the goal and providing feedback that further motivates accomplishment of the goal (column 39, lines 49-55, "The view server...at each DSUN")

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Regarding claim 2:

White teaches,

- the step of instantiating a component from the table of components to measure progress toward the goal (column 68, lines 24-32, "An attempt is...for procedure sequence"; column 120, lines 1-7, "Block 37070 gets...with Block 37120")

Regarding claim 3:

White teaches,

- the step of instantiating a component from the table of components to interrupt and interview a student to obtain information to measure progress toward the goal and determine appropriate feedback (column 22, lines 6-15, "When panel input...returned to IET"; column 31, lines 26-30, "Once invoked, the...dialog was interrupted")

Regarding claim 5:

White teaches,

- the step of instantiating a component from the table of components to evaluate options and present appropriate feedback to assist a student to achieve the goal (column 49, lines 53-60, "GTD OPTION FIELD...panels are created")

Regarding claim 6:

White teaches,

- instantiating a component from the table of components to simulate a business application (column 36, lines 18-39, "A transaction is...construction of transactions")

Regarding claim 8:

White teaches,

- instantiating a component from the table of components to interact with a student utilizing rule-based logic (column 57, lines 16-22, "The application is...panel by GTD")

Regarding claim 10:

White teaches,

- (b) a processor (FIG. 5, item 66)
- (c) a memory that stores information under the control of the processor (FIG. 5, item 70)
- (d) logic that integrates information that motivates accomplishment of the goal for use in the presentation (column 24, lines 30-58, "One or more...load module integrity")
- (e) logic that manages information flow utilizing a table of components (column 69, lines 8-29, "Blocks 46540 through...buffer is blank")
- (a) logic that evaluates progress toward the goal (column 39, lines 49-61, "The view server...specific local-delivery queue")

Regarding claim 11:

White teaches,

- logic that instantiates a component from the table of components to measure progress toward the goal (column 68, lines 24-32, "An attempt is...for procedure sequence"; column 120, lines 1-7, "Block 37070 gets...with Block 37120")

Regarding claim 12:

White teaches,

- logic that instantiates a component from the table of components to interrupt and interview a student to obtain information to measure progress toward the goal and determine appropriate feedback (column 22, lines 6-15, "When panel "input...returned to IET"; column 31, lines 17-30, "A profile view... dialog was interrupted")

Regarding claim 14:

White teaches,

- logic that instantiates a component from the table of components to evaluate options and present appropriate feedback to assist a student to achieve the goal (column 49, lines 29-60, "If a word... panels are created")

Regarding claim 15:

White teaches,

- logic that instantiates a component from the table of components to simulate a business application (column 36, lines 8-39, "If the system... construction of transactions")

Regarding claim 17:

White teaches,

- logic that instantiates a component from the table of components to interact with a student utilizing rule-based logic (column 57, lines 16-22, "The application is... panel by GTD"; column 99, lines 22-28, "The rule is... a defined procedure")

Claim Rejections - 35 USC § 103

To expedite a complete examination of the instant application, the claims rejected under 35 U.S.C. 101 (nonstatutory) above are further rejected as set forth below in anticipation of applicant amending these claims to place them within the four statutory categories of invention.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the Office presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the Office to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim 4, 7, 9, 13, 16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over *White* USPN 5,694,601 (December 2, 1997) in view of *Kershaw et al*

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USPN 5,827,070 (October 27, 1998) and further view of *Amado* USPN 5,701,400 (December 23, 1997).

Regarding claim 4:

White's teachings from claim 1 include the following:

- (a) receiving information indicative of a goal (column 26, lines 31-37, "To achieve the...arbitrarily complex structures")
 - (b) integrating information that motivates accomplishment of the goal for use in the presentation (column 24, lines 30-37, "One or more...work within DAA")
 - (c) managing information flow utilizing a table of components (column 69, lines 8-13, "Blocks 46540 through...the STDE table")
 - (d) evaluating progress toward the goal and providing feedback that further motivates accomplishment of the goal (column 39, lines 49-55, "The view server...at each DSUN")
- White*, however, doesn't explicitly teach analyzing progress while *Kershaw et al* teach,
- instantiating a component from the table of components to analyze progress and determine appropriate feedback (column 279, lines 2-5, "said examinee performance...one predetermined condition")

Motivation – The portions of the claimed method would have been a highly desirable feature in this art for

- reducing logic (*White*, column 3, lines 50-58, "Another object of...message handling functions")
- flexibility in editing designs (*Kershaw et al*, column 3, lines 47-61, "there is a...test delivery system")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *White* with *Kershaw et al* to obtain the invention specified in claim 4, a method for creating a presentation. The modification would have been obvious because one of ordinary skill in the art would have been motivated to simplify design of the presentation.

Regarding claim 7:

White's teachings from claim 1 include the following:

- (a) receiving information indicative of a goal (column 26, lines 31-37, "To achieve the...arbitrarily complex structures")
- (b) integrating information that motivates accomplishment of the goal for use in the presentation (column 24, lines 30-37, "One or more...work within DAA")
- (c) managing information flow utilizing a table of components (column 69, lines 8-13, "Blocks 46540 through...the STDE table")
- (d) evaluating progress toward the goal and providing feedback that further motivates accomplishment of the goal (column 39, lines 49-55, "The view server...at each DSUN")

White, however, doesn't explicitly teach what-if analysis while *Amado* teaches,

- instantiating a component from the table of components to interact with a quantitative analysis model to perform what-if analysis (column 2, lines 39-46, "The Spreadsheet™ decision...generate what-if scenarios"; column 49, lines 22-42, "FIG. 134 shows...the test record")

Motivation – The portions of the claimed method would have been a highly desirable feature in this art for

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- reducing logic (*White*, column 3, lines 50-58, "Another object of...message handling functions")
- quicker development (*Amado*, column 24, lines 39-42, "The invention also...diagnostics and data")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *White* with *Amado* to obtain the invention specified in claim 7, a method for creating a presentation. The modification would have been obvious because one of ordinary skill in the art would have been motivated towards faster and simpler presentation development.

Regarding claim 9:

White's teachings from claim 1 include the following:

- (a) receiving information indicative of a goal (column 26, lines 31-37, "To achieve the...arbitrarily complex structures")
- (b) integrating information that motivates accomplishment of the goal for use in the presentation (column 24, lines 30-37, "One or more...work within DAA")
- (c) managing information flow utilizing a table of components (column 69, lines 8-13, "Blocks 46540 through...the STDE table")
- (d) evaluating progress toward the goal and providing feedback that further motivates accomplishment of the goal (column 39, lines 49-55, "The view server...at each DSUN")

White, however, doesn't explicitly teach time based simulation while *Kershaw et al* teach,

- instantiating a component from the table of components to present a time based simulation (column 23, lines 27-31, "test developers provide... adaptive test simulation")

Motivation – The portions of the claimed method would have been a highly desirable feature in this art for

- reducing logic (*White*, column 3, lines 50-58, "Another object of...message handling functions")
- flexibility in editing designs (*Kershaw et al*, column 3, lines 47-61, "there is a...test delivery system")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *White* with *Kershaw et al* to obtain the invention specified in claim 9, a method for creating a presentation. The modification would have been obvious because one of ordinary skill in the art would have been motivated to simplify design of the presentation.

Regarding claim 13:

White's teachings from claim 10 include the following:

- (b) a processor (FIG. 5, item 66)
- (c) a memory that stores information under the control of the processor (FIG. 5, item 70)
- (d) logic that integrates information that motivates accomplishment of the goal for use in the presentation (column 24, lines 30-58, "One or more...load module integrity")
- (e) logic that manages information flow utilizing a table of components (column 69, lines 8-29, "Blocks 46540 through...buffer is blank")

- (a) logic that evaluates progress toward the goal (column 39, lines 49-61, "The view server...specific local-delivery queue")

White, however, doesn't explicitly teach analyzing progress while *Kershaw et al* teach,

- logic that instantiates a component from the table of components to analyze progress and determine appropriate feedback (*Kershaw et al*, column 279, lines 2-5, "said examinee performance...one predetermined condition")

Motivation – The portions of the claimed apparatus would have been a highly desirable feature in this art for

- reducing logic (*White*, column 3, lines 50-58, "Another object of...message handling functions")
- flexibility in editing designs (*Kershaw et al*, column 3, lines 47-61, "there is a...test delivery system")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *White* with *Kershaw et al* to obtain the invention specified in claim 13, an apparatus that creates a presentation. The modification would have been obvious because one of ordinary skill in the art would have been motivated to simplify design of the presentation.

Regarding claim 16:

White's teachings from claim 10 include the following:

- (b) a processor (FIG. 5, item 66)
- (c) a memory that stores information under the control of the processor (FIG. 5, item 70)

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- (d) logic that integrates information that motivates accomplishment of the goal for use in the presentation (column 24, lines 30-58, "One or more... load module integrity")
- (e) logic that manages information flow utilizing a table of components (column 69, lines 8-29, "Blocks 46540 through... buffer is blank")
- (a) logic that evaluates progress toward the goal (column 39, lines 49-61, "The view server... specific local-delivery queue")

White, however, doesn't explicitly teach what-if analysis while *Amado* teaches,

- logic that instantiates a component from the table of components to interact with a quantitative analysis model to perform what-if analysis (column 2, lines 39-46, "The SpreadsheetTM decision... generate what-if scenarios"; column 49, lines 22-42, "FIG. 134 shows... the test record")

Motivation – The portions of the claimed apparatus would have been a highly desirable feature in this art for

- reducing logic (*White*, column 3, lines 50-58, "Another object of... message handling functions")
- quicker development (*Amado*, column 24, lines 39-42, "The invention also... diagnostics and data")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *White* with *Amado* to obtain the invention specified in claim 16, an apparatus that creates a presentation. The modification would have been obvious because one of ordinary skill in the art would have been motivated towards faster and simpler presentation development.

Regarding claim 18:

White's teachings from claim 10 include the following:

- (b) a processor (FIG. 5, item 66)
- (c) a memory that stores information under the control of the processor (FIG. 5, item 70)
- (d) logic that integrates information that motivates accomplishment of the goal for use in the presentation (column 24, lines 30-58, "One or more...load module integrity")
- (e) logic that manages information flow utilizing a table of components (column 69, lines 8-29, "Blocks 46540 through...buffer is blank")
- (a) logic that evaluates progress toward the goal (column 39, lines 49-61, "The view server...specific local-delivery queue")

White, however, doesn't explicitly teach time based simulation while *Kershaw et al* teach,

- logic that instantiates a component from the table of components to present a time based simulation (column 23, lines 27-31, "test developers provide...adaptive test simulation")

Motivation – The portions of the claimed apparatus would have been a highly desirable feature in this art for

- reducing logic (*White*, column 3, lines 50-58, "Another object of...message handling functions")
- flexibility in editing designs (*Kershaw et al*, column 3, lines 47-61, "there is a...test delivery system")

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made, to combine *White* with *Kershaw et al* to obtain the invention specified in claim 18, an apparatus that creates a presentation. The modification would have been obvious because one of ordinary skill in the art would have been motivated to simplify design of the presentation.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

- *White*; USPN 5,694,601
- *Kershaw et al*; USPN 5,827,070
- *Amado*; USPN 5,701,400
- *Scott et al*; USPN 5,675,752; Interactive Applications Generator for an Interactive Presentation Environment
- *Jennings*; USPN 5,781,186; Arrangement for Specifying Presentation of Multimedia Message Components
- *Jennings*; EPN 0 788 065 A2; Apparatus and method for specifying presentation of multimedia message components
- *Smith*; USPN 5,745,103; Real-Time Palette Negotiations in Multimedia Presentations
- *Kjorsvik*; USPN 5,748,190; Presentation System for Individual Personal Computers in a Personal Computer Network
- *Tafoya et al*; USPN 5,822,525; Method and System for Presentation Conferencing

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- *Goldberg et al*; USPN 5,692,213; Method for Controlling Real-Time Presentation of Audio/Visual Data on a Computer System
- *Hekmatpour*; USPN 5,799,292; Adaptive Hypermedia Presentation Method and System
- *Daniels et al*; USPN 5,310,349; Instructional Management System
- *Cook et al*; USPN 5,727,950; Agent Based Instruction System and Method
- *Cook et al*; WO 9744766 A1; Agent Based Instruction System and Method

Any inquiry concerning this communication or earlier communications from the Office should be directed to Meltin Bell whose telephone number is 703-305-0362.

This Examiner can normally be reached on Mon - Fri 7:30 am - 4:30 pm.

If attempts to reach this Examiner by telephone are unsuccessful, his supervisor, Anil Khatri, can be reached on 703-305-0282. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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ANIL KHATRI
SUPERVISORY PATENT EXAMINER